



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information: 202-418-0500
Internet: <http://www.fcc.gov>
TTY: 888-835-5322

DA 17-556

Released: June 7, 2017

INCENTIVE AUCTION TASK FORCE AND MEDIA BUREAU REMIND BROADCAST STATIONS AND MVPDs OF IMPORTANT POST-INCENTIVE AUCTION FILING DEADLINES

The Incentive Auction Task Force and Media Bureau remind broadcast television stations that were assigned new channels as a result of the incentive auction and repacking process and multichannel video programming distributors (MVPDs) of the following important post-auction filing deadlines:¹

1. **Request for Waiver of Initial Construction Permit Filing Deadline – June 12, 2017**
2. **Application for Initial Construction Permit – July 12, 2017**
3. **FCC Form 2100, Schedule 399 (Reimbursement Form) – July 12, 2017**

Each of these upcoming deadlines is discussed in turn below.

1. Request for Waiver of Initial Construction Permit Filing Deadline – Due No Later than June 12, 2017

Reassigned stations² and band changing stations³ that determine they are unable to construct facilities that meet the technical parameters specified in the *Closing and Channel Reassignment Public Notice* within the permissible contour coverage variance provided in the rules, as well as any other reassigned stations and band changing stations unable to meet the July 12, 2017, filing deadline, may seek a waiver of the deadline.⁴ For stations unable to meet the July 12, 2017, construction permit filing

¹ On April 13, 2017, the Incentive Auction Task Force and the Media and Wireless Telecommunications Bureaus released the *Closing and Channel Reassignment Public Notice*, announcing the completion of the broadcast incentive auction and providing the results of the incentive auction and the repacking process, including the new channel assignments for full power and Class A television stations in the repacked TV band. *See Incentive Auction Closing and Channel Reassignment Public Notice: The Broadcast Television Incentive Auction Closes; Reverse Auction and Forward Auction Results Announced; Final Television Band Channel Assignments Announced; Post-Auction Deadlines Announced*, Public Notice, DA 17-314 (rel. April 13, 2017) (*Closing and Channel Reassignment Public Notice*). *See also Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, Report and Order, 29 FCC Rcd 6567 (2014) (*Incentive Auction R&O*), subsequent history omitted.

² A reassigned station is defined as a full power or Class A station that was protected during the repacking process and involuntarily assigned to a new channel in one of the reorganized broadcast television bands. This category includes every station involuntarily assigned to a new channel including those that did not apply to bid in the reverse auction, those that applied and did not bid, and those that bid, but exited.

³ Band changing stations are defined as a station with a winning bid to move to the low or high very-high frequency (VHF) band.

⁴ *Incentive Auction R&O*, 29 FCC Rcd at 6790-91, para. 546 & n.1551.

deadline, requests for waiver of the deadline must be filed no later than **June 12, 2017**.⁵ Stations must submit their waiver requests in the form of a request for a Legal STA via the Media Bureau's Licensing and Management System (LMS). There is no fee for this filing. Stations should also send an electronic copy of the request via email to: IATransitionlicensing@fcc.gov and should also notify their Regional Coordinator of this filing.⁶ The staff will notify each requesting station of the grant or denial of a waiver. Stations that are unable to meet the filing deadline for reasons other than inability to construct will be assigned a new deadline in the waiver grant.

2. Application for Initial Construction Permit – Due No Later Than July 12, 2017

Except for those stations outlined above that are granted a waiver of the filing deadline, all reassigned stations and band changing stations must electronically file applications for construction permits to build their post-auction channel facilities via LMS no later than **July 12, 2017**.⁷ There is no fee for this filing. Although they have until **July 12, 2017**, to do so, we encourage stations to file their applications as soon as possible. The earlier that stations submit their applications, the sooner the Media Bureau will be able to authorize construction of post-auction channel facilities.

3. FCC Form 2100, Schedule 399 (Reimbursement Form) - Due No Later Than July 12, 2017

Reassigned stations and MVPDs that will incur costs by continuing to carry reassigned stations must file their estimated construction costs for equipment and services no later than **July 12, 2017**. Relocation cost estimates and any required supporting documentation must be filed via LMS using the Reimbursement Form 399.⁸ There is no fee for this filing.

Additional Information

Additional information concerning the post-incentive auction transition, including instructions on how to file forms via LMS, may be found in the *Closing and Channel Reassignment Public Notice* as well as the *Transition Procedures Public Notice*.⁹ Questions may be referred to the contact persons below or to a station's assigned Regional Coordinator.

Television licensing (legal):

Shaun Maher at 202-418-2324 or
Shaun.Maher@fcc.gov

Full power television licensing (technical):

Kevin Harding at 202-418-1600 or
Kevin.Harding@fcc.gov

Class A licensing (technical):

Hossein Hashemzadeh at 202-418-1658 or
Hossein.Hashemzadah@fcc.gov

⁵ *Id.*

⁶ The Incentive Auction Task Force and Media Bureau have assigned Regional Coordinators to assist stations moving to new channel assignments in the post-incentive auction transition period. See *Incentive Auction Task Force and Media Bureau Announce Regional Coordinators to Facilitate Post-Auction Transition for Broadcast Stations*, DA 17-376 (rel. Apr. 20, 2017) (available at https://apps.fcc.gov/edocs_public/attachmatch/DA-17-376A1.pdf).

⁷ *Incentive Auction R&O*, 29 FCC Rcd at 6790-91, para. 546; see also 47 CFR § 73.3700(b)(1)(i).

⁸ Stations granted a waiver of the construction permit filing deadline as "unable to construct" their assigned facilities have until 30 days after the grant of their construction permit application to submit their Form 399. See *Incentive Auction R&O*, 29 FCC Rcd at 6823 n.1754.

⁹ See *Incentive Auction Task Force and Media Bureau Announce Procedures for the Post-Incentive Auction Broadcast Transition*, Public Notice, 32 FCC Rcd 858 (IATF/MB 2017) (*Transition Procedures Public Notice*).

Reimbursement of Expenses (Form 399):

Pamela Gallant at 202-418-0614 or
Pamela.Gallant@fcc.gov

LMS:

Technical problems or trouble accessing: (877) 480-3201
TTY: (717) 338-2824

Regional Coordinators:

Go to: https://apps.fcc.gov/edocs_public/attachmatch/DA-17-376A1.pdf

- FCC -